

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(OAKLAND DIVISION)

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL LAWRENCE MCCOY,

Defendant.

CASE NO. CR-09-00337-CW

**ORDER GRANTING *EX PARTE*  
APPLICATION FOR APPOINTMENT  
OF ADDITIONAL COUNSEL**

The Court has reviewed Defendant Daniel McCoy's *Ex Parte* Application for Appointment of Additional Counsel, the records and files in this action and good cause appearing, hereby rules as follows:

IT IS HEREBY ORDERED that Defendant Daniel McCoy's *Ex Parte* Application for Appointment of Additional Counsel is GRANTED. The Court assumes that Defendant will wish to appeal his conviction, based in part on a claim of ineffective assistance of counsel. Present counsel would not be able to advise him or represent him on appeal and new counsel would have to be appointed. Accordingly, the Court will appoint appellate counsel at this time, before sentencing, so that new counsel may observe the sentencing process and advise Defendant with regard to filing an appeal. Present counsel will continue to represent Defendant until judgment has entered. Additional counsel for Defendant McCoy shall be appointed by the Federal Public Defender's Office from the CJA Panel.

Dated: 2/15/2011

  
THE HONORABLE CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE